

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-27	File(s): A606.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/6/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing a side yard of 0.41m (approx. 1.35ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3485 Bertrand Rd

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

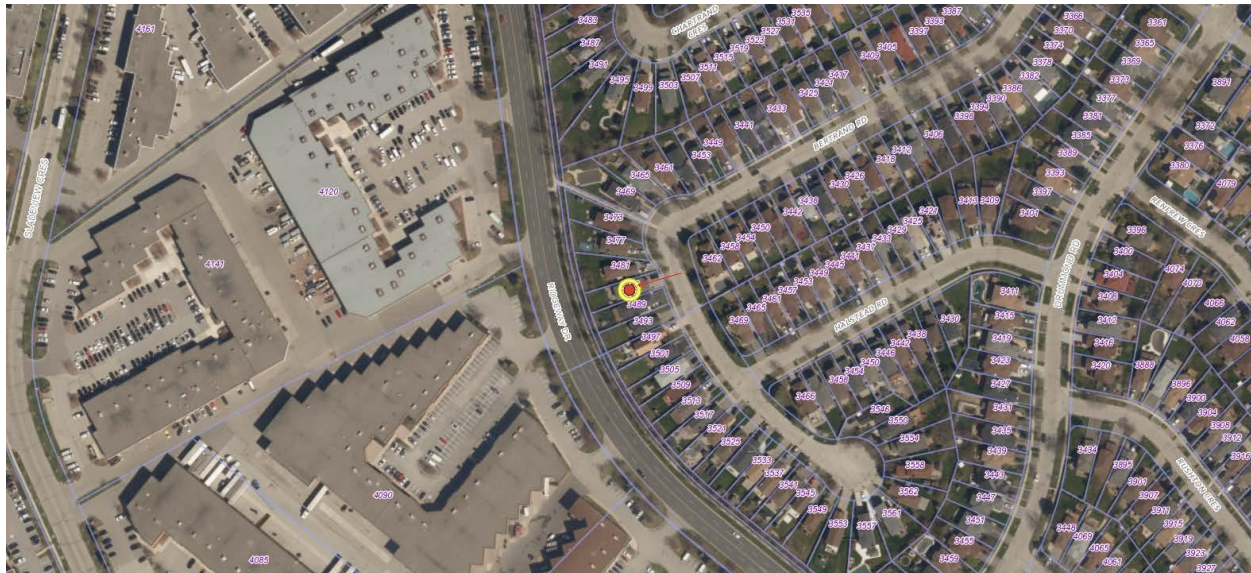
Zoning: R5 - Residential

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road West and Ridgeway Drive intersection in the Erin Mills neighbourhood. The property contains a 2-storey detached

dwelling with an attached garage. Minimal vegetation and landscaping elements are present in both the front and rear yards. The surrounding context consists of detached dwellings with attached garages. There are industrial and commercial uses west of Ridgeway Drive.

The applicant is proposing a below grade entrance requiring a variance for the setback to the side yard.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low-Density II designation permits detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such

development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal is compatible with the existing site conditions and surrounding area context. It will have no impact on the streetscape and maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the side yard regulations in the by-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring appropriate access to the rear yard and drainage is preserved. The proposal is for a below grade staircase to access a side entrance into the dwelling. This proposal has no impacts on massing or separation between structures. Access to the rear yard can be accommodated on the other side of the dwelling. Additionally, the lot line and dwelling are not parallel, and the side yard setback variance is measured at a pinch point, improving to 0.56m (1.83ft) as the exterior wall moves toward the rear yard. Furthermore Transportation & Works staff have raised no drainage concerns regarding the proposal. Staff are therefore satisfied that the request maintains the general intent and purpose of the by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property and that the application is minor in nature. There are no impacts to the streetscape and circulation around the dwelling is maintained.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed below grade entrance will be addressed by our Development Construction Section through the future Building Permit process.

We advise that this particular lot is a 'back to front' surface draining lot. Therefore all attempts need to be made to ensure that the surface drainage from the rear yard can still be maintained through the proposed side yard 0.4m setback without interfering with any of the adjacent lands. Our Development Construction Section will perform a site inspection as part of the Building Permit process once the work is completed to ensure the drainage on site is satisfactory.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit, we are unable to confirm the accuracy of the information provided or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

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1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner